

Application Number: 09/975,902Docket Number: 10016278-1**REMARKS**

Upon entry of this Response, claims 1, 3-9, 11-16, and 18-25 remain pending in the present application. Claim 25 has been amended. Applicant requests reconsideration of the pending claims in view of the following remarks.

In item 3 of the Office Action, claim 25 has been objected to as being in improper dependent form. An appropriate amendment has been made to claim 25 to address this issue. Accordingly, Applicant requests that the objection to claim 25 be withdrawn.

In item 5 of the Office Action, claims 1, 3-9, 11-16, and 18-25 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,875,345 issued to Naito (hereafter "Naito"). Anticipation under § 102 "requires the disclosure in a single prior art reference of each element of the claim under construction." WL Gore and Associates, Inc. v. Garlock, Inc., 220 USPQ 303, 313 (Fed. Cir. 1983). Applicant asserts that Naito fails to show or suggest each of the elements of these claims for the reasons that follow.

To begin, claim 1 has been amended to provide as follows:

1. A method of controlling access to functionality of a computer system comprising:
  - monitoring a plurality of operating system messages in the computer system for a message indicative of user activity;
  - entering a powersave mode after a first predetermined activity timeout duration has elapsed during which no user activity is detected, the powersave mode reducing an amount of electrical power consumed by a component of the computer system;
  - entering a lock mode after a second predetermined activity timeout duration has elapsed during which no user activity is detected, following entry into the lock mode, the lock mode restricting use of the computer system until a specified security input is input into the computer system; and
  - wherein, following entry into the powersave mode but before the second predetermined activity timeout duration has elapsed, a user action other than the specified security input reactivates the computer system for use from the powersave mode.

As set forth above, claim 1 had been previously amended so as to incorporate the element of "monitoring a plurality of operating system messages in the computer system for a message indicative of user activity". In this respect, claim 1 incorporates the subject of claim 2 as it was originally filed, but previously canceled. With respect to claim 1 in its present form, the Office Action states in part:

Application Number: 09/975,902

Docket Number: 10016278-1

"As per claim 1, Naito teaches a method of controlling access to functionality of a computer system [fig.4], comprising: monitoring a plurality of operating system messages in the computer system for a message indicative of user activity [col. 8, lines 40-44, 59-65; col. 9 lines 29-35]..." (Office Action, page 2).

Applicant respectfully disagrees. Attention is drawn to column 8, lines 40-65, of Naito which states:

"The power management processor 45, during the normal operation of the OS or the execution of application programs, monitors the user input at the keyboard 30 or by means of the mouse 31, the operating state of the system 100, and the open/close state of the cover (LCD). When an internal suspend timer detects that a predetermined time  $T_{sus}$  has elapsed since a last user input or that the inactive state of the system 100 has continued more than the predetermined time  $T_{sus}$ , the power management processor 45 generates an interrupt request on the bus 12 (see division A above). When the cover is closed, the power management processor 45 also generates an interrupt request on the bus 12. The interrupt controller 26 detects this interrupt request and reports it to the BIOS. The BIOS searches for the source that generated the interrupt request and determines that it originated at the power management processor 45. With the result as a trigger, the right to control the system 100 is transferred to the PM program and the suspend routine is begun.

In the suspend routine, first, a check is performed to determine whether or not there is any I/O device activity (step S10). When such activity exists (e.g., a DMA transfer is being performed), the check for the presence of I/O activity is again performed after a certain period (e.g., 10 msec) has elapsed. Program control goes on standby until no I/O device activity is detected."

Specifically, for example, at column 6, lines 40-65, Naito states:

"(2) Resume routine

The power management processor 45 is activated periodically during the suspend mode, and makes an examination to determine whether any user input (or a resume request) has been effected by means of the keyboard 30 or with the mouse 31. When such user input is detected, at step S18 the power supply across the power feed lines that were inactive is restarted (step S20)."

As set forth above, the discussion states that the power management processor 45 monitors the user input at the keyboard 30 or by means of the mouse 31. The power management processor 45 also monitors the operating state of the computer system 100 and the open/close state of the cover. The operating state of the computer system 100 refers to the suspend state and operational state of the computer system (see col. 8, lines 28-40). The monitoring performed by the

Application Number: 09/975,902

Docket Number: 10016278-1

power management processor occurs during the normal operation of the operating system or during the execution of application programs.

Nonetheless, at item 8, the Final Office Action states that:

"Naito teaches of monitoring operating system messages in the computer system for message indicative of a user activity [col. 8, lines 40-44, 59-65; col. 9 lines 29-35, emphasis added, "during the normal operation of the OS ..., monitors the user input..."].

Applicant asserts that the statement above selectively ignores the entire text of Naito at column 8, lines 40-44. Specifically, the Office Action reproduces an excerpt "during the normal operation of the OS ..., monitors the user input..." alleging that the operating system is monitored as taught by Naito. However, the full text at column 8, lines 40-44 actually states:

"The power management processor 45, during the normal operation of the OS or the execution of application programs, monitors the user input at the keyboard 30 or by means of the mouse 31, the operating state of the system 100, and the open/close state of the cover (LCD)."

The mention of the operating system in the above statement simply refers to when monitoring of the user input devices (i.e. keyboard or mouse) is performed. In other words, the power management processor 45 merely performs its duties when either the computer is actively employed by a user to manipulate an application or when the operating system is active without the execution of an application. Thus, monitoring is performed when the computer is operational. This is further underscored by the fact that the operational state of the computer system 100 and the open/close state of the cover are also monitored. The only mention of what is monitored is the use of input devices such as the keyboard or mouse. Naito does not show or suggest the concept of monitoring operating system messages to detect user activity. In this respect, Naito teaches away from monitoring operating system messages as such.

Accordingly, Applicant asserts once again that Naito fails to show or suggest each of the elements of claim 1 as amended. In addition, Applicant asserts that Naito fails to show or suggest each of the elements of claims 9 and 16 for the same reasons as claim 1. Accordingly, Applicant requests that the rejection of claims 1, 9, and 16 be withdrawn. In addition, Applicant requests that the rejection of claims 3-8, 11-15, and 18-25 be withdrawn as depending from claims 1, 9, and 16.

In addition, claim 23 states as follows:

Application Number: 09/975,902

Docket Number: 10016278-1

23. The method of claim 1, further comprising generating a user interface that allows a user to separately disable the entry into the powersave mode and the entry into the lock mode.

With respect to claim 23, the Office Action states:

"As per claim 23, Naito teaches of generating a user interface that allows a user to separately disable the entry [a user programmable value] into the powersave mode and the entry into the lock mode [col. 4 lines 25-31, col. 10, lines 4-6]."

Applicant respectfully disagrees. Specifically, at column 4, lines 25-31, Naito states:

"The second predetermined time is a reference period of time for determining whether or not a password input should be requested before recovering the task, and is called a "security time". The security time may be either a default value which is predetermined in advance at the time of manufacturing or shipping, or a user programmable value which can be altered afterwards."

Also, at column 9, line 66 through column 10, line 6 inclusive of the portion cited by the Office Action above, Naito states:

"Then, time  $\Delta T(T_2 - T_1)$ , during which the system 100 was in the suspend mode is calculated and is compared with security time  $T_{sec}$  (step S42). The security time  $T_{sec}$  is a threshold value for determining whether or not the input of a password should be requested, and 10 minutes is an optimal time according to the empirical rule. The security time may be a default value or a user programmable value, and is stored in, for example, the CMOS RAM 34."

The discussion above refers to the fact that a user can specify a time period for the implementation of a suspension of the system and whether a password would be required to reactivate the system. There is no discussion of generating a user interface to separately disable the entry into the powersave mode and the entry into the lock mode. Rather, by indicating that a time period need be specified, Naito teaches away from the elements of claim 23.

Accordingly, for these additional reasons, Applicant requests that the rejection of claim 23 be withdrawn. Also, Applicant requests that the rejection of claims 24 and 25 be withdrawn for the same reasons discussed above with reference to claim 23.

Application Number: 09/975,902

Docket Number: 10016278-1

**CONCLUSION**

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,



Michael J. D'Aurelio  
Reg. No. 40,977

D'Aurelio & Mathews, LLC  
5755 Granger Road, Suite 365  
Cleveland, Ohio 44131  
Phone: (216) 459-8302  
Fax: (216) 459-8301